

REMARKS

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of July 1, 2004.

Reconsideration of the Application is requested.

The Office Action

Claims 1 - 19 remain in this application.

Claims 1 – 4, 6, 9, 14 and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Steinkirchner (U.S. Patent No. 5,392,365) in view of Buchanan et al. (U.S. Patent No. 5,001,653).

Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Steinkirchner in view of Buchanan et al. further in view of Schweid et al. (U.S. Patent No. 6,529,291 B1).

Claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Steinkirchner in view of Buchanan et al. further in view of Katayama et al. (U.S. Patent No. 5,905,579).

Claims 10 and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Steinkirchner in view of Buchanan et al. further in view of Schweid et al.

Claims 12 and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Steinkirchner in view of Buchanan et al. further in view of Katayama et al.

Claims 18 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Steinkirchner in view of Buchanan et al. further in view of Schweid et al.

Claims 8, 15 and 17 are objected to as being dependent upon rejected base claims, but contain potentially allowable subject matter.

Drawings stand objected to for failing to comply with 37 CFR 1.84(p)(5).

Brief Description of Amendments

Proposed corrections to the drawings have been attached as per the Examiners remarks.

Claims 1 and 9 have been amended to further illustrate the claimed subject matter and to further distinguish the subject matter from the cited references.

Comments and Arguments

In regards to independent claim 1, the office action asserts that Steinkirchner discloses an apparatus (and thus a system and method) whereby a group of pixels are input according to a color identifier and that an average color identifier is determined which then is used to classify a pixel as either neutral or color. The office action further asserts that Steinkirchner discloses the subject matter stated in claim 1 of the present application except for storing the data in a raster format in a memory device. This concept, according to the office action, is disclosed in Buchanan. The applicants respectfully traverse the office action assertion. Steinkirchner, alone or in proper combination with Buchanan, fails to teach or fairly suggest a method for classifying pixels into one of a neutral category and a non-neutral category. Furthermore, Steinkirchner in view of Buchanan neither teaches nor fairly suggests determining an average color identifier of a group of pixels as a function of the color identifiers of the pixels in the group and then classifying one of the pixels within the group into one of the neutral category and the non-neutral category as a function of the average color identifier.

Rather, Steinkirchner discloses an apparatus which differentiates black text from halftone and contone images in an original image. Steinkirchner discloses a color/neutral discriminator which functions to eliminate all color image signals from a binary black text edge control signal. The color/neutral discriminator looks at pixels or small groups of pixels and determines if the pixels contain saturation of chrominance above a certain threshold. The color/neutral discriminator then eliminates the signals of pixels with a saturation of chrominance above the threshold from the control signal.

Buchanan et al. discloses a page printer which receives coded test character data and graphics image commands intermingled in the same data stream. The printer of Buchanan et al., creates a raster image of the graphic image commands and stores the created raster image. The printer then provides a window for the rasterized image within the page bitmap containing the text character data.

The Applicants respectfully submit that both Steinkirchner and Buchanan et al. fail to teach or fairly suggest the method of claim 1. Neither alone nor properly combined do Steinkirchner and Buchanan et al. disclose a method for classifying pixels into one of a neutral and a non-neutral category, and more specifically neither

of the cited references teach or fairly suggest, determining an average color identifier of the group of pixels as a function of the color identifiers of the pixels of the group; and classifying one of the pixels within the group into one of the neutral category and the non-neutral category as a function of the average color identifier.

For at least the reasons stated above independent claim 1 and claims 2 – 8 which depend therefrom are distinguished over the cited references and are in condition for allowance.

Regarding independent claims 9 and 16, the office action cites the same reasons for rejecting claims 9 and 16 as in the rejection of claim 1. The Applicants respectfully submit that the cited references neither alone nor in proper combination teach or fairly suggest the subject matter of claims 9 and 16, and more specifically fail to disclose averaging the image data of a group of pixels and classifying or determining if one of the pixels of the group of pixels as being one of the neutral and non-neutral colors based on the average of the image data of the group of pixels.

Independent claims 9 and 16, for at least the reasons stated above, distinguish over the cited references and are in condition for allowance. Claims 10-15 and 17-19, which depend from claims 9 and 16 respectively, are also therefore distinguished and in condition for allowance.

CONCLUSION

For the reasons detailed above, it is submitted all claims remaining in the application (Claims 1-19) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

No additional fee is believed to be required for this Amendment A. However, the undersigned attorney of record hereby authorizes the charging of any necessary fees, other than the issue fee, to Xerox Deposit Account No. 24-0037.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Mark S. Svat, at Telephone Number (216) 861-5582.

Respectfully submitted,

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Date

Nov 9th, 2004

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Attachment: Annotated Sheets Showing Changes: Sheets 1/4 and 4/4

Replacement Sheets: Sheets 1/4 and 4/4